



# Elections Division of Colorado Secretary of State's Office

## Colorado Election Fact Sheet

## Protection of Ballots Overview

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### 1) Introduction

Colorado observes extensive security measures to protect the integrity of voted ballots. These security measures ensure ballots cannot be altered after they are marked and returned by voters. The first and most important security measure is that Colorado uses paper ballots. Even electronic equipment used for voting – such as ballot-marking machines or electronic ballot-return technology – generate paper ballots. This is the foundation of Colorado's secure election model.

### 2) Chain of Custody of Ballots

- a) **County clerks conduct election management activities in secure facilities.** County clerks process and count ballots in secure facilities; Secretary of State staff do not count ballots. Security measures include security locks on entry points that are changed frequently. Entrance to these areas is limited to state or county employees and election judges who have passed background checks, and all entries into these rooms must be logged, either electronically or by hand on paper access logs.<sup>i</sup> Beginning in October 2021, the county clerk also must retain surveillance video of these rooms for 25 months after an election.<sup>ii</sup>
- b) **Two-person teams of election judges from different parties collect and transport voted ballots in sealed containers and maintain documented chain-of-custody.** When Colorado voters return their marked mail ballots to a standalone ballot drop box or to a ballot box in a Voter Service and Polling Center, teams of election judges from differing political affiliations collect the returned ballots and place them in transport containers sealed with tamper-evident seals that contain unique serial numbers. Similarly, teams of bipartisan election judges also process mail ballots that are received by mail from the U.S.P.S.

These collection teams must maintain documented chain-of-custody of the collected ballots by making an entry in a chain-of-custody log. Each log entry includes the date, time and location of collection, the serial numbers of the affixed seals, and election judges' party affiliations and signatures. All seals affixed to the device or container must remain intact throughout the transportation process, which is verified by a different team of bipartisan election judges at the county's receiving location.

Once the receiving team verifies that the seals are intact and no one has tampered with the containers' contents during transport, the seals are broken and the containers opened, and the mail ballot return envelopes are received or entered into the statewide voter registration system, SCORE. The signatures on the mail ballot return envelopes are then verified electronically or by an election judge and, if the signature is accepted, the enclosed ballot is scanned or counted. If the signature is not accepted, a different team of bipartisan judges will review the signature.

Chain-of-custody is a fundamental security protection for every ballot counted, and county clerks must retain all chain-of-custody logs for 25 months after the election.

- c) **Ballot batch integrity ensures accurate audits.** Once mail ballot envelopes containing voted ballots are received at the county central count facilities, they are processed and retained to ensure the integrity of the count.<sup>iii</sup> Once separated from their return envelopes, teams of election judges from different political affiliations compile ballot batches for scanning. All scanned ballots are stored in sealed containers and maintained in the same batches and order as they were scanned.<sup>iv</sup> Maintaining ballots in the same batches and order enables the bipartisan county audit boards to retrieve specific, randomly selected ballots for review during the post-election risk-limiting audit. All of these activities are conducted under video surveillance by bipartisan teams of election judges, and in the presence of watchers appointed by political parties, candidates, and issue committees supporting or opposing a measure on the ballot.

- d) **Paper ballots ensure reliability.** Colorado uses paper ballots.<sup>v</sup> Colorado's election model is built primarily on the use of mail ballots which, by definition, are paper ballots. In the 2020 Presidential Election, 94% of all votes cast were by mail ballot, which are sent directly to the voters and returned by the voters by mail or to a ballot drop box or VSPC.

In-person voting also results in a paper ballot. When voting in-person, a voter will either be offered a paper ballot to mark by hand or the option of voting on a ballot marking device. The ballot marking device displays and enables a voter to mark an electronic version of the ballot, and once the voter has finished voting, the voter prints the ballot, can see and verify their voting choices, and the voter deposits the marked ballot in a sealed ballot box at the vote center. The ballot marking devices themselves do not retain or tabulate the votes. Like all voting system components, the ballot marking devices are never connected to the internet.

Colorado's use of paper ballots provides a simple but effective failsafe mechanism for ensuring the integrity of any election because we can always conduct a full hand count if necessary. Additionally, Colorado conducts a statewide bipartisan risk-limiting audit after each election and before results are officially certified.

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<sup>i</sup> 8 C.C.R. 1505-1 §§ 20.5 and 20.6.1

<sup>ii</sup> 8 C.C.R. 1505-1 § 20.9.4 and § 1-7-802, C.R.S.

<sup>iii</sup> C.R.S. 1-7-802; 8 C.C.R. 1505-1 §§ 7.4, 20.11, 25.2.2(d)

<sup>iv</sup> 8 C.C.R. 1505-1 §25.2.2(d)

<sup>v</sup> In limited circumstances, ballots may be cast electronically, such as disability ballots, emergency ballots, and overseas voter ballots. However, each of these ballots is printed to paper for processing and counting.